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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,180	01/23/2002	William D. Lester	51261-00003USPT	9465

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EXAMINER

GLASS, RUSSELL S

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,180

Applicant(s)

LESTER ET AL.

Examiner

Russell S. Glass

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/5/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. **Claims 1, 3, 4, 8, 10, 15, 16, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Luchs et al., (U.S. 4,831,526).**

2. As per claim 1, Luchs discloses a method for conducting a financial transaction, wherein said financial transaction is buying and selling an insurance policy, comprising:

making an application for acquisition of a financial product that requires activation to become effective, (Luchs, Fig. 2C; col. 2, line 21-col. 4, line 59) (disclosing an insurance policy product requiring issuance to be effective);

processing said application for approval, (Luchs, Fig. 1, col. 2, line 21-col. 4, line 59) (disclosing a central processor processing issue to underwriter for approval); and

following approval of said application, activating said financial product to complete said financial transaction, wherein said steps of making, processing and activating are all conducted through a global communications network, (Luchs, Fig. 1, 2A-C; col. 2, line 21-col. 4, line 59) (disclosing a remote office online rate quote,

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underwriter approval and issuance of policy).

3. As per claim 3, Luchs discloses a method wherein said financial product comprises an insurance policy, and wherein said financial transaction comprises selling and buying said insurance policy, (Luchs, col. 2, line 21-col. 4, line 59).

4. As per claim 4, Luchs discloses a method wherein said activating step comprises providing coverage under said insurance policy, (Luchs, col. 2, line 21-col. 4, line 59).

5. As per claim 8, Luchs discloses a method wherein said processing step is performed by a financial transaction service provider, and wherein said activating step is performed by a provider of said financial product, (Luchs, col. 2, line 21-col. 4, line 59) (disclosing processing by underwriter and policy issuance by insurance agent).

6. As per claim 10, Luchs discloses a method for buying and selling an insurance policy, comprising:

making an application to purchase said insurance policy, (Luchs, Fig. 1; col. 2, line 21-col. 4, line 59) (disclosing an insurance policy product requiring issuance to be effective);

processing said application for approval, (Luchs, col. 2, line 21-col. 4, line 59) (disclosing a central processor processing issue to underwriter for approval); and

following approval of said application, providing coverage under said insurance policy, wherein said steps of making, processing and providing coverage are all conducted through a global communications network, (Luchs, Fig. 1; col. 2, line 21-col. 4, line 59) (disclosing a remote office online rate quote, underwriter approval and issuance of policy).

7. As per claim 15, Luchs discloses a method wherein said processing step is performed by a financial transaction service provider, and wherein said providing coverage step is performed by a provider of said insurance policy, (Luchs, col. 2, line 21-col. 4, line 59) (disclosing processing by underwriter and policy issuance by insurance agent).

8. As per claim 16, Luchs discloses a system for conducting a financial transaction through a global communications network, comprising:

a first interface for receiving an application from an applicant through the global communications network for acquisition of a financial product that requires activation to become effective, (Luchs, Fig. 1; col. 2, line 21-col. 4, line 59);

a processor for processing said application for approval, (Luchs, Fig. 1; col. 2, line 21-col. 4, line 59); and

if said application is approved, a second interface for routing application information to a provider of said financial product through the global communications network to obtain substantially immediate activation of said financial product by said

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provider, (Luchs, Figs. 2A-F; col. 2, line 21-col. 4, line 59).

9. As per claim 17, Luchs discloses a system wherein said financial product comprises an insurance policy, and wherein said financial transaction comprises selling and buying said insurance policy, (Luchs, Fig. 1; col. 2, line 21-col. 4, line 59).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. **Claims 2, 6, 7, 9, 11, 13, 14, 19, 20 are rejected under 35 U.S.C. 103(a) as being anticipated by Luchs et al., (U.S. 4,831,526) in view of Bauer et al., (U.S. Pub. 2002/0116228).**

11. As per claims 2 and 11, Luchs fails to disclose a method further including the step of paying for said financial product prior to said activating step. However, such a step is obvious in view of Bauer (Bauer, ¶ 6) (disclosing automatic online payment system that could require a payment prior to issuance of policy).

It would be obvious to one of ordinary skill in the art to combine Luchs and Bauer in order to require a payment prior to policy issuance. The motivation would be to obtain

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payment immediately.

12. As per claims 6 and 13, Luchs fails to disclose a method wherein said global communications network comprises a world wide web. However, such a method is well-known in the art as evidenced by Bauer, (Bauer, Abstract).

It would be obvious to one of ordinary skill in the art to combine Luchs and Bauer in order to utilize the World Wide Web. The motivation would be to allow customers to access the system from a remote location.

13. As per claims 7 and 14, Luchs further discloses a method wherein said steps of making, processing, activating and providing coverage are all conducted during a single Internet session, (Luchs, col. 2, line 21-col. 4, line 59).

The statement of obviousness and motivation to combine is as provided in the rejection of claim 6 and incorporated herein by reference.

14. As per claim 9, Luchs fails to disclose a method wherein said processing and activating steps are performed by the same entity. However, such a method is well known in the art as evidenced by Bauer, (Bauer, Abstract, ¶ 1-4).

It would have been obvious to one of ordinary skill in the art to combine Luchs and Bauer. The motivation would have been to reduce costs, (Bauer, ¶ 1-4).

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15. As per claim 19, Luchs fails to disclose a system wherein said system is operated by a financial transaction service provider that comprises a different entity than said provider of said financial product, (Bauer, Abstract, ¶ 1-4) (disclosing that involving multiple entities in an insurance transaction is well-known in the art, but that it is more cost efficient to utilize a single entity to complete the transaction).

The statement of obviousness and motivation to combine is as provided in the rejection of claim 9 and incorporated herein by reference.

16. As per claim 20, Luchs discloses a system wherein said global communications network comprises a world wide web, and wherein said first and second interfaces comprise Internet connections through said world wide web, (Luchs, Fig. 1, 2A-F).

The statement of obviousness and motivation to combine is as provided in the rejection of claim 9 and incorporated herein by reference.

17. Claims 5, 12, 18 are rejected under 35 U.S.C. 103(a) as being anticipated by Luchs et al., (U.S. 4,831,526) in view of Christie et al., (5,819,230).

18. As per claim 5, Luchs fails to disclose a method wherein said insurance policy comprises a life insurance policy. However, life insurance is well known in the art as evidenced by Christie, (Christie, Abstract).

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It would have been obvious to one of ordinary skill in the art to combine Luchs and Christie. The motivation would have been to provide life insurance to a remote client on-line, (Luchs, Fig. 1).

19. The method according to claim 10, wherein said insurance policy comprises a life insurance policy, (Christie, Abstract).

The statement of obviousness and motivation to combine is as provided in the rejection of claim 5 and incorporated herein by reference.

20. The system according to claim 17, wherein said insurance policy comprises a life insurance policy, and wherein said activation comprises providing coverage under said policy, (Christie, Abstract).

The statement of obviousness and motivation to combine is as provided in the rejection of claim 5 and incorporated herein by reference.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is as follows: Tyler et al., (U.S. 5,523,942); Hele et al., (U.S. Pub. 2002/0120474); Bosco et al., (U.S. 5,191,522); Walker et al., (U.S. 6,119,093); Cullen et al., (6,272,528); Freedman et al., (2002/0002475).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell S. Glass whose telephone number is 571-272-3132. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RSG
4/27/2006

RSG


C. LUKE GILLIGAN
PATENT EXAMINER